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| EXAMINER |
|---|
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>27 December 2004</u>.

2a)☐ This action is **FINAL**.    2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1,2 and 4-10</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2 and 4-10</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 December 2004</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All    b)☐ Some *    c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>12/27/2004; 04/26/2006; 10/16/2006; 12/12/2006; 02/12/2007; 03/23/2007</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

## DETAILED ACTION

**[1]**     All of the examiner's suggestions presented hereinafter have been assumed for

examination purposes, unless otherwise noted.

### *Amendments*

**[2]**     This office action is responsive to the preliminary claim amendment received Dec. 27,

2004.

### *Priority*

**[3]**     Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d) (App. No.

JP2002-189470, filed Dec. 27, 2004), which papers have been placed of record in the file.

**[4]**     MPEP §201 reads in relevant part:

> An applicant may incorporate by reference the foreign priority application by including, in the U.S.
> application-as-filed, <u>an explicit statement</u> that such specifically enumerated foreign priority application or
> applications are "hereby incorporated by reference.

MPEP §201.13 II G, *emphasis added*.

   The statement must appear in the specification. *See* 37 CFR 1.57(b) and MPEP

§608.01(p)." – it is suggested to incorporate by reference the foreign priority application by

including an explicit statement in the specification.

### *Drawings*

**[5]**     The following is a quote from 37 C.F.R. 1.84:

> (1) The different views must be numbered in consecutive Arabic numerals, starting with 1, independent of the
> numbering of the sheets and, if possible, in the order in which they appear on the drawing sheet(s). <u>Partial views</u>
> <u>intended to form one complete view, on one or several sheets, must be identified by the same number followed by a</u>
> <u>capital letter.</u> View numbers must be preceded by the abbreviation "FIG." Where only a single view is used in an
> application to illustrate the claimed invention, it must not be numbered and the abbreviation "FIG." must not appear.

37 C.F.R. 1.84(u)(1), *emphasis added*.

[6]     The drawings are objected to under 37 C.F.R. 1.84(u)(1) for failing to properly use partial

views (*e.g.*, make the following changes for FIG. 2 - remove "FIG. 2" and replace "(a)" with

"FIG. 2A", replace "(b)" with "FIG.2B").

[7]     FIG. 16 should be designated by a legend such as --Prior Art-- because only that which is

old is illustrated.  See MPEP § 608.02(g).  Corrected drawings in compliance with 37 CFR

1.121(d) are required in reply to the Office action to avoid abandonment of the application. The

replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR

1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted

by the examiner, the applicant will be notified and informed of any required corrective action in

the next Office action. The objection to the drawings will not be held in abeyance.

[8]     Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to

the Office action to avoid abandonment of the application. Any amended replacement drawing

sheet should include all of the figures appearing on the immediate prior version of the sheet,

even if only one figure is being amended. The figure or figure number of an amended drawing

should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure

must be removed from the replacement sheet, and where necessary, the remaining figures must

be renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet"

pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The

objection to the drawings will not be held in abeyance.

### Claim Rejections - 35 USC § 101

**[9]** 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**[10]** **Claims 1, 6,** and **8** are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Claim 1, l. 1 cites "[a]n image data distribution <u>system</u>" (*emphasis added*) but it is not

clear what the system is, whether the system is a machine or process. The claims are broad

enough to allow <u>the system to be a program</u> as supported by client item 11 and server item 1 of

fig. 1 inherently requiring a program to perform the claims in question, which is non-statutory.

Claims 6 and 8 are rejected for similar reasoning for not alleviating the claim 1 rejection.

**[11]** **Claims 2, 7,** and **9-10** are rejected under 35 U.S.C. 101 because the claimed apparatus is

directed to non-statutory subject matter. The means-plus-function language is supported by

<u>software/program enablement which is non-statutory</u>. The claims are broad enough to allow <u>the</u>

<u>system to be a program</u> as supported by client item 11 and server item 1 of fig. 1 inherently

requiring a program to perform the claims in question, which is non-statutory.

### Claim Rejections - 35 USC § 112

**[12]** The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

**[13]**    **Claims 1-2** and **4-10** are rejected under 35 U.S.C. 112, first paragraph. Specifically, since

the claimed invention is not supported by either an asserted utility or a well established utility for

the reasons set forth above, one skilled in the art clearly would not know how to use the claimed

invention. *See* 101 rejections above.

**[14]**    The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

**[15]**    **Claims 1, 6,** and **8** are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. The Examiner is unclear what a "system" in fact is, whether

an apparatus or method, as the elements of the system invoking 112 6th paragraph do not provide

any further support.

**[16]**    **Claims 1-2** and **4-10** defines applicant's invention in a "means plus function" format,

reciting a "mean for" followed by functional language, and not limited by structure. Thus,

"means plus function" is automatically invoked. *See* In re Donaldson Co., 16 F.3d 1189, 29

USPQ2d 1845 (Fed. Cir. 1994); and MPEP 2181. However, in order to invoke mean plus

function, the 35 U.S.C. 112, second paragraph requirements must be met. *See* MPEP 2181 titled

"IDENTIFYING A 35 U.S.C. 112, SIXTH PARAGRAPH LIMITATION". MPEP 2163 and

2181 state, and supports with the applicable law, the following:

> If a claim limitation invokes 35 U.S.C. 112, para. 6, it must be interpreted to cover the corresponding
> structure, materials, or acts in the specification and "equivalents thereof." See 35 U.S.C. 112, para. 6. See
> also *B. Braun Medical, Inc. v. Abbott Lab.*, 124 F.3d 1419, 1424, 43 USPQ2d 1896, 1899 (Fed. Cir. 1997).
> In considering whether there is 35 U.S.C. 112, para. 1 support for a means- (or step) plus-function claim
> limitation, the examiner must consider not only the original disclosure contained in the summary and
> detailed description of the invention portions of the specification, but also the original claims, abstract, and
> drawings.

> 35 U.S.C. 112, sixth paragraph states that a claim limitation expressed in means-plus-function language "shall be construed to cover the corresponding structure... described in the specification and equivalents thereof." "If one employs means plus function language in a claim, one must set forth in the specification an adequate disclosure showing what is meant by that language. If an applicant fails to set forth an adequate disclosure, the applicant has in effect failed to particularly point out and distinctly claim the invention as required by the second paragraph of section 112." *In re Donaldson Co.*, 16 F.3d 1189, 1195, 29 USPQ2d 1845, 1850 (Fed. Cir. 1994) (in banc).

and

> A means- (or step-) plus-function claim limitation is adequately described under 35 U.S.C. 112, para. 1, if: (1) The written description adequately links or associates adequately described particular structure, material, or acts to the function recited in a means- (or step-) plus-function claim limitation; or (2) it is clear based on the facts of the application that one skilled in the art would have known what structure, material, or acts perform the function recited in a means- (or step-) plus-function limitation. Note also: A rejection under 35 U.S.C. 112, para. 2, "cannot stand where there is adequate description in the specification to satisfy 35 U.S.C. 112, first paragraph, regarding means-plus-function recitations that are not, per se, challenged for being unclear." *In re Noll*, 545 F.2d 141, 149, 191 USPQ 721, 727 (CCPA 1976).

Upon reviewing applicant's original disclosure (*i.e.*, specification, claims and drawings), it is the Examiner's conclusion that the written description <u>does not</u> link or associate particular structure to the function recited in the means-plus-function claim limitations, and it is <u>not</u> clear based on the facts of the application that one skilled in the art would have known what structure or materials perform the function recited in a means-plus-function limitation.

For example, claim 1 recites "<u>a request information receiving means</u> for receiving client's request information transmitted by way of a network" (*emphasis added*). The specification only refers to a generalized system for performing this function, as depicted in fig. 1. The <u>specification fails to provide any specifics</u> regarding the structure of these generalized functional blocks. The specification <u>does not describe the specific structure</u> of the "system". However, since no function is specified by the word(s) preceding "means," <u>it is impossible to determine the equivalents of the element</u>, as required by 35 U.S.C. 112, sixth paragraph. *See* <u>Ex parte Klumb</u>, 159 USPQ 694 (Bd. App. 1967).

## *Claim Rejections - 35 USC § 103*

**[17]**     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

**[18]**     **Claims 1-2** and **4-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent No. 6,573,912 (filed Nov. 7, 2000, *hereinafter* "Suzuki et al.") in view of U.S. Patent No.

6,525,732 (filed Feb. 17, 2000, *hereinafter* "Gadh et al.").

Regarding **claim 1**, while *Suzuki et al.* discloses an image data distribution system (fig. 2)

comprising:

a request information receiving means (fig. 2, item 228) for receiving client's request

information (fig. 4, item 244) transmitted by way of a network (fig. 4, item 230);

a request information analyzing means (fig. 2, item 228) for analyzing the request

information received by the request information receiving means;

a multiple viewpoint image supply means (fig. 2, items 222-224) which selects necessary

image data from coded ("and could then be compressed..." at 5:14-20) and stored multiple

viewpoint image data of images (fig. 2, items 208-210) taken by a plurality of cameras (fig. 2,

items 204-206), based on viewpoint information ("perspective selection" at fig. 2, item 244)

from the request information analyzed by the request information analyzing means (fig. 2, item

228) and decodes (fig. 2, items 222-224 must decode data received by user and video captured in

MPEG format (5:13-20)) and supplies selected data;

an image generating means (fig. 2, items 212-214, 224) which, based on image data

supplied from the multiple viewpoint image supplying means (fig. 2, items 222-224), generates

image data of an image viewed from a predetermined viewpoint ("perspective selection" at fig.

2, item 244) in conformity with the request information (fig. 2, item 244);

an image synthesizing means (fig. 2, item 228) for synthesizing a plurality of images data

(images coming from item 226, 216-218) generated by the image generating means (fig. 2, items

212-214, 224), based on display unit information ("perspective selection" at fig. 2, item 244)

from the request information (fig. 2, item 244);

a coding means (fig. 2, item 228) for coding image data ("compression can be included in

network servers..." at 10:24-33) synthesized by the image synthesizing means (fig. 2, item 228);

a transmitting means (fig. 2, item 228) for transmitting coded image data by the coding

means (fig. 2, item 228) to the network (fig. 2, item 230);

a receiving means (fig. 2, item 232) for receiving the coded image data via the network

(fig. 2, item 228);

a decoding means (fig. 2, item 232) for decoding the coded image data ("corresponding

decompression in network clients..." at 10:24-33) received by the receiving means (fig. 2, item

232);

an image processing means (fig. 2, item 242) for processing decoded image data by the

decoding means network client (fig. 2, item 232) so as to be displayable on a display means

("novel view" item 240 at fig. 2);

a request information input means (fig. 2, item 242) for allowing input of the client's

request information (fig. 2, item 244); and

a request information transmitting means (fig. 2, item 232) for transmitting the request

information to the network (fig. 2, item 230), *Suzuki et al.* does not disclose

(i) a display means for displaying image data processed by the image processing means.

*Gadh et al.* teaches a display means ("[t]he object's image can then be transmitted for

display by a client computer over a client-server network" at 2:3-7) for displaying image data

processed by a image processing means (1:59-2:2).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made for the image data distribution system of *Suzuki et al.* to include a display means for

displaying image data processed by the image processing means as taught by *Gadh et al.* so that

"the user may issue commands to manipulate the object so as to accurately simulate

manipulation of the actual three-dimensional object. The client computer may display the

object's image from one of the viewpoints. If the user then wishes to manipulate the object, the

user will issue a command to the server to index from the coordinates of the first viewpoint to the

coordinates of some adjacent viewpoint(s). The images of the adjacent viewpoints will then be

displayed in a sequence corresponding to the order in which the coordinates of the viewpoints

are indexed. As an example, the user may "rotate" the virtual object by indexing about the

coordinates of viewpoints encircling the object, and images of the viewpoints at these

coordinates will be displayed to the user in succession. To the user, this may appear as an

animated view of the rotating three-dimensional object, or of a rotating three-dimensional model

of the object, even though the display is rendered solely from two-dimensional images." (*Gadh

et al.* at 2:4-22).

Regarding **claim 2**, claim 1 recites identical features as in claim 2. Thus, references/arguments equivalent to those for claim 1 are equally applicable to claim 2.

Regarding **claim 4**, *Suzuki et al.* in view of *Gadh et al.* does not disclose further comprising a management information adding means for adding management information for enabling access to the image data of individual viewpoints and random access, to the multiple viewpoint image data.

*Gadh et al.* teaches a management information adding means (the element responsible for adding management information) for adding management information ("the viewpoint's coordinates about the object" at 1:59-63) for enabling access to the image data of individual viewpoints and random access ("issu[ing] a command to the server to index from the coordinates of the first viewpoint to the coordinates of some adjacent viewpoint(s)" at 2:3-22, *emphasis added*), to the multiple viewpoint image data ("some adjacent viewpoint(s)" at 2:3-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made for the image data distribution system of *Suzuki et al.* in view of *Gadh et al.* to include a management information adding means for adding management information for enabling access to the image data of individual viewpoints and random access, to the multiple viewpoint image data as taught by *Gadh et al.* so that "the user may "rotate" the virtual object by indexing about the coordinates of viewpoints encircling the object, and images of the viewpoints at these coordinates will be displayed to the user in succession. To the user, this may appear as an animated view of the rotating three-dimensional object, or of a rotating three-dimensional model of the object, even though the display is rendered solely from two-dimensional images." (*Gadh et al.*, 2:3-22).

Regarding **claim 5**, claim 4 recites identical features as in claim 5. Thus,

references/arguments equivalent to those for claim 4 are equally applicable to claim 5.

Regarding **claim 6**, while *Suzuki et al.* discloses an image data distribution system (fig. 2)

comprising:

a request information receiving means (fig. 2, item 228) for receiving client's request

information (fig. 4, item 244) transmitted by way of a network (fig. 4, item 230);

a request information analyzing means (fig. 2, item 228) for analyzing the request

information received by the request information receiving means;

a multiple viewpoint image supply means (fig. 2, items 222-224) for supplying multiple

viewpoint image data;

an image generating means (fig. 2, items 212-214, 224) which, based on viewpoint

information from the request information ("perspective selection" at fig. 2, item 244) analyzed

by the request information analyzing means (fig. 2, item 228), receives input of necessary image

data from the multiple viewpoint image supply means (fig. 2, items 222-224) and generates

image data of an image viewed from a predetermined viewpoint ("perspective selection" at fig.

2, item 244) in conformity with the request information (fig. 2, item 244);

an image synthesizing means (fig. 2, item 228) for synthesizing a plurality of images data

(images coming from item 226, 216-218) generated by the image generating means (fig. 2, items

212-214, 224), based on display unit information ("perspective selection" at fig. 2, item 244)

from the request information (fig. 2, item 244);

a coding means (fig. 2, item 228) for coding image data ("compression can be included in

network servers…" at 10:24-33) synthesized by the image synthesizing means (fig. 2, item 228);

a transmitting means (fig. 2, item 228) for transmitting coded image data by the coding

means (fig. 2, item 228) to the network (fig. 2, item 230);

a receiving means (fig. 2, item 232) for receiving the coded image data via the network

(fig. 2, item 228);

a decoding means (fig. 2, item 232) for decoding the coded image data ("corresponding

decompression in network clients…" at 10:24-33) received by the receiving means (fig. 2, item

232);

an image processing means (fig. 2, item 242) for processing decoded image data by the

decoding means network client (fig. 2, item 232) so as to be displayable on a display means

("novel view" item 240 at fig. 2);

a request information input means (fig. 2, item 242) for allowing input of the client's

request information (fig. 2, item 244); and

a request information transmitting means (fig. 2, item 232) for transmitting the request

information to the network (fig. 2, item 230),

a judgment means (fig. 2, item 232) for judging whether the received image data is of

two-dimensional image data or stereoscopic image data (item 232 judges that the image as

stereoscopic image data when it receives separate camera viewpoints items 234-236, 238; must

judge this to interpolate image for "novel view" item 240), *Suzuki et al.* does not disclose

(i) a display means for displaying image data processed by the image processing means.

*Gadh et al.* teaches a display means ("[t]he object's image can then be transmitted for

display by a client computer over a client-server network" at 2:3-7) for displaying image data

processed by a image processing means (1:59-2:2).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made for the image data distribution system of *Suzuki et al.* to include a display means for

displaying image data processed by the image processing means as taught by *Gadh et al.* so that

"the user may issue commands to manipulate the object so as to accurately simulate

manipulation of the actual three-dimensional object. The client computer may display the

object's image from one of the viewpoints. If the user then wishes to manipulate the object, the

user will issue a command to the server to index from the coordinates of the first viewpoint to the

coordinates of some adjacent viewpoint(s). The images of the adjacent viewpoints will then be

displayed in a sequence corresponding to the order in which the coordinates of the viewpoints

are indexed. As an example, the user may "rotate" the virtual object by indexing about the

coordinates of viewpoints encircling the object, and images of the viewpoints at these

coordinates will be displayed to the user in succession. To the user, this may appear as an

animated view of the rotating three-dimensional object, or of a rotating three-dimensional model

of the object, even though the display is rendered solely from two-dimensional images." (*Gadh

et al.* at 2:4-22).

Regarding **claim 7**, claim 6 recites identical features as in claim 7. Thus,

references/arguments equivalent to those for claim 6 are equally applicable to claim 7.

Regarding **claim 8**, while *Suzuki et al.* discloses an image data distribution system (fig. 2)

comprising:

a request information receiving means (fig. 2, item 228) for receiving client's request

information (fig. 4, item 244) transmitted by way of a network (fig. 4, item 230);

a request information analyzing means (fig. 2, item 228) for analyzing the request

information received by the request information receiving means;

a multiple viewpoint image supply means (fig. 2, items 222-224) for supplying multiple

viewpoint image data;

an image generating means (fig. 2, items 212-214, 224) which, based on viewpoint

information from the request information ("perspective selection" at fig. 2, item 244) analyzed

by the request information analyzing means (fig. 2, item 228), receives input of necessary image

data from the multiple viewpoint image supply means (fig. 2, items 222-224) and generates

image data of an image viewed from a predetermined viewpoint ("perspective selection" at fig.

2, item 244) in conformity with the request information (fig. 2, item 244);

an image synthesizing means (fig. 2, item 228) for synthesizing a plurality of images data

(images coming from item 226, 216-218) generated by the image generating means (fig. 2, items

212-214, 224), based on display unit information ("perspective selection" at fig. 2, item 244)

from the request information (fig. 2, item 244);

a coding means (fig. 2, item 228) for coding image data ("compression can be included in

network servers..." at 10:24-33) synthesized by the image synthesizing means (fig. 2, item 228);

a transmitting means (fig. 2, item 228) for transmitting coded image data by the coding

means (fig. 2, item 228) to the network (fig. 2, item 230);

a receiving means (fig. 2, item 232) for receiving the coded image data via the network

(fig. 2, item 228);

a decoding means (fig. 2, item 232) for decoding the coded image data ("corresponding

decompression in network clients…" at 10:24-33) received by the receiving means (fig. 2, item

232);

an image processing means (fig. 2, item 242) for processing decoded image data by the

decoding means network client (fig. 2, item 232) so as to be displayable on a display means

("novel view" item 240 at fig. 2);

a request information input means (fig. 2, item 242) for allowing input of the client's

request information (fig. 2, item 244); and

a request information transmitting means (fig. 2, item 232) for transmitting the request

information to the network (fig. 2, item 230),

an identification information adding means (fig. 2, item 228) for adding to the image data

to be transmitted (via network item 230) a piece of information (item 228 receiving items 216-

218, 224 is information itself that indicates that it is stereoscopic image data, it adds this

information when it supplies image data to item 230), *Suzuki et al.* does not disclose

(i) a display means for displaying image data processed by the image processing means.

*Gadh et al.* teaches a display means ("[t]he object's image can then be transmitted for

display by a client computer over a client-server network" at 2:3-7) for displaying image data

processed by a image processing means (1:59-2:2).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made for the image data distribution system of *Suzuki et al.* to include a display means for

displaying image data processed by the image processing means as taught by *Gadh et al.* so that

"the user may issue commands to manipulate the object so as to accurately simulate

manipulation of the actual three-dimensional object. The client computer may display the

object's image from one of the viewpoints. If the user then wishes to manipulate the object, the

user will issue a command to the server to index from the coordinates of the first viewpoint to the

coordinates of some adjacent viewpoint(s). The images of the adjacent viewpoints will then be

displayed in a sequence corresponding to the order in which the coordinates of the viewpoints

are indexed. As an example, the user may "rotate" the virtual object by indexing about the

coordinates of viewpoints encircling the object, and images of the viewpoints at these

coordinates will be displayed to the user in succession. To the user, this may appear as an

animated view of the rotating three-dimensional object, or of a rotating three-dimensional model

of the object, even though the display is rendered solely from two-dimensional images." (*Gadh

et al.* at 2:4-22).

Regarding **claim 9**, claim 8 recites identical features as in claim 9.  Thus,

references/arguments equivalent to those for claim 8 are equally applicable to claim 9.

Regarding **claim 10**, claim 8 recites identical features as in claim 10.  Thus,

references/arguments equivalent to those for claim 8 are equally applicable to claim 10.

### Conclusion

[19]   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure: US 5864337 A; US 6241609 B1; US 20030122949 A1; US 20040032649 A1; and

US 6803912 B1.

[20]   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to David P. Rashid whose telephone number is (571) 270-1578.

The examiner can normally be reached Monday - Friday 8:30 - 17:00 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vikkram Bali can be reached on (571) 272-7415. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

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